



PATENT APPLICATION

Our File No.: 20030322.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Edward Draper : December 29, 2003
S.N. : 10/675,855 : Art Unit unknown
Filed : September 25, 2003
For : BONE FIXATED, ARTICULATED
JOINT LOAD CONTROL DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER RULE 1.56

Applicant(s) herein make available to the Patent and Trademark Office a copy of Form PTO-1449 which lists the following document(s), copies of which are enclosed. This Information Disclosure Statement is being filed in accordance with the following provision(s):

- ☐ 37 CFR 1.97(b)(1) Within three months of the filing date of the national application. No fee is required.
- ☐ 37 CFR 1.97(b)(2) Within three months of the date of entry of the national stage as set forth in § 1.491 in the international application. No fee is required.
- ☒ 37 CFR 1.97(b)(3) Before the mailing date of a first Office Action on the merits. No fee is required.
- ☐ 37 CFR 1.97(c) After the periods specified in 37 CFR 1.97(b), but before the mailing date of either: (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first.

- [] The undersigned hereby certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- [] The undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; or
- [] Enclosed is a check in the amount of \$200.00 for the fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 08-1265. Two copies of this sheet are enclosed.
- [] 37 CFR 1.97(d) After the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, but before payment of the issue fee.
- [] Applicant(s) hereby petition the Commissioner of Patents and Trademarks to consider this information disclosure statement. Enclosed is a check in the amount of \$130.00 for the petition fee set forth in § 1.17(i)(1). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 08-1265. Two copies of this sheet are enclosed.

The Examiner is requested to consider carefully the complete text of these documents in connection with the examination of the above-identified application in accordance with 37 CFR 1.104(a). It is requested that the documents listed on the attached Form PTO-

1449 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. 1302.12), and that the Examiner initial and return a copy of the form to evidence consideration of the documents.

We have no English translations for German Patent DE 19855254A1 and EP 0383419A1 and for French Patent EP 0953317A1.

Dated: December 29, 2003. Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



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CERTIFICATE OF MAILING

I hereby certify that the foregoing Information Disclosure Statement Under Rule 1.56, a Form PTO-1449 and a copy of each cited foreign reference to be filed in connection with application Serial No. 10/675,855 of inventor, Edward Draper, filed September 25, 2003, for "BONE FIXATED, ARTICULATED JOINT LOAD CONTROL DEVICE" is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 30, 2003.



Barbara L. Davis
Secretary to C. G. Mersereau

Date of Signature: December 30, 2003



(2-92)
Sheet 1 of 1

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| Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) | Document Number 20030322.ORI | Application Number 10/675,855 |
| | Applicant Edward Draper | |
| | Filing Date September 25, 2003 | Group Art Unit |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|----------|------------|-------|----------|-------------------------------|
| | 6,036,691 | 03/14/00 | Richardson | | | |
| | 5,803,924 A | 09/08/98 | Gale et al | | | |
| | 6,176,860 B1 | 01/23/01 | Howard | | | |
| | 5,976,125 A | 11/02/99 | Graham | | | |
| | 4,988,349 | 01/29/91 | Pennig | | | |
| | 4,696,293 | | | | | |
| | 5,624,440 | | | | | |
| | 5,976,136 | | | | | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
|--|--------------------|----------|----------------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| | WO 94/06364 | 03/31/94 | PCT | | | | |
| | WO 96/19944 | 07/04/96 | PCT | | | | |
| | EP 0953317 A1 | 04/29/99 | France | | | | |
| | EP 0383419 A1 | 02/14/90 | German | | | | |
| | DE19855254 A1 | 06/08/00 | German | | | | |
| | GB 2223406 A | 04/11/90 | United Kingdom | | | | |
| | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

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|--|-----------------------------|
| | International Search Report |
|--|-----------------------------|

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| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.